



TO: Planning and Zoning Commission

DATE: June 6, 2007

FROM: Scott Shuford, AICP,
Planning and Development Director

Prepared by:

Scott Shuford

Project: Merrimon Avenue
Zoning Study Recommendation

Proposal: Rezone numerous CB-I, CB-II, NCD(CZ) and HB parcels on or near Merrimon Avenue to MXD (Mixed Use District)

PIN(s): See attachment

Site Address: Various

Owner(s) Name: Various

Applicant(s) Name: City of Asheville

Date of Request: N/A

Location Map

Driving Directions:

Site Conditions

Acreage:
Current Land Use: Various
Environmental Conditions: Developed

Current Zoning: CB-I, CB-II, NCD(CZ), HB
Affected Roadways: Merrimon Avenue
Site Features: Various

Compatibility Analysis

Existing Conditions to the	Zoning	Degree of Compatibility*	Existing Land Use*
North	RS-4, RS-8	Buffer required	Residential
South	NCD, CBD	Buffer not required	Mixed use
East	RS-4, RS-8, RM-8, RM-16, Office, Office II, Institutional	Buffer generally required	Residential, office, church
West	RS-4, RS-8, RM-16	Buffer required	Residential

* Due to scale of rezoning, these are generalized comments

Special Zoning Considerations:

Merrimon Avenue was designated a zoning study area by City Council and staff has primarily been working with two groups (Merrimon Avenue Study Group and Merrimon Avenue Business Group) representing a broad range of interests to develop a consistent and customized zoning designation for the corridor.

Compliance with Comprehensive Plan

The City Development Plan anticipates the provision of new urbanist zoning and land use patterns along underutilized commercial corridors like Merrimon Avenue. Additionally the plan calls for the provision of transit-supportive density along key corridors.

City Council Goals and Vision Plan Considerations

Merrimon Avenue was designated a zoning study area by City Council. Rezoning would promote City goals of mixed use development, green building, and tax base enhancement.

Recent Zoning Actions

Rezoning of former Burger King site to NCD(CZ) – This action simulates what is proposed for remainder of corridor.

Staff Report & Findings

A 2006 survey of citizens and property owners indicated a general desire for Merrimon to become a mixed use corridor, with pedestrian-friendly and transit-supportive development and with businesses that are used by the surrounding neighborhoods as well as some specialty/destination retail of relatively small scale. Additionally, there was a preference for more “traditionally-designed” buildings oriented to the Merrimon Avenue. Two groups that have worked with staff on this zoning study – the Merrimon Avenue Study Group and the Merrimon Avenue Business Group – prepared a plan that illustrated their vision for the corridor that is consistent with the above goals from the survey.

At the Planning and Zoning Commission's direction, staff has worked with these groups to prepare a zoning district that allows customization of certain requirements for particular areas. This proposed zoning district, the Mixed Use District (MXD), is proposed to replace the commercial zoning designations of CB-I, CB-II, and RB along the Merrimon corridor. This district is provided in a separate staff report.

Application of the MXD zoning district will create numerous nonconformities for existing developments. However, most of the existing developments are nonconforming under their current CB-I and CB-II zoning anyway since these districts require parking to be to the side or in front of the buildings (just as the MXD district would require). Nonconforming structures are grandfathered and their continued use is allowed.

The advantages of the MXD zoning over the existing zoning include:

- MXD will allow greater density and development intensity than CB-I.
- MXD will allow greater density and development intensity than CB-II using the Community Incentive Table.
- CB-I encourages the most intensive traffic generators – convenience store and gas stations.
- CB-II and HB encourage “big box” type development that are also high traffic generators and attract regional customers to Merrimon Avenue.
- MXD promotes a more efficient land use pattern that supports multi-modal transportation instead of just automobile transportation.

Pros

- Survey goals are achieved.
- Greater development intensity provides an incentive for property owners.
- Since most properties are nonconforming currently, there is not a significant change in conforming/nonconforming status.
- The zoning requirements are “personalized” for Merrimon Avenue.

Cons

- Some new nonconformities would be created.
- Development/redevelopment costs would likely be increased due to higher development standards.

Recommendation:

Staff supports the rezoning of CB-I, CB-II, NCD(CZ), and RB properties along Merrimon Avenue to MXD.

Suggested Motion(s):

I move to approve/deny the zoning map amendment from CB-I, CB-II and RB to MXD and find that the request is reasonable/not reasonable based on information provided in the staff report and as stated in the staff recommendation along with my evaluation of the comments received from the public.

Key Dates & Actions

	Meeting Date	Signs Erected	Adjacents Notified	Advertised	Action
TRC	N/A	N/A	N/A	N/A	N/A
Planning & Zoning Commission	June 6, 2007	Yes	Yes	Yes	
City Council					

Attachments

Exhibit A Map









City of Asheville - Exhibit A Map Rezoning Request



Project Name: Merrimon Avenue
Project Number: R 07-50-007
Project Description: Multiple districts to MXD
Petitioner(s): City of Asheville
Parcel ID Number(s): 194 Parcels

Location/Address: Marcellus/Elm to Beaver Point Dr

 Project Site	 Zoning Districts	 Streets
 Parcels	 Asheville City Limits	 Streams

City of Asheville Planning and Development Department - May 14, 2007

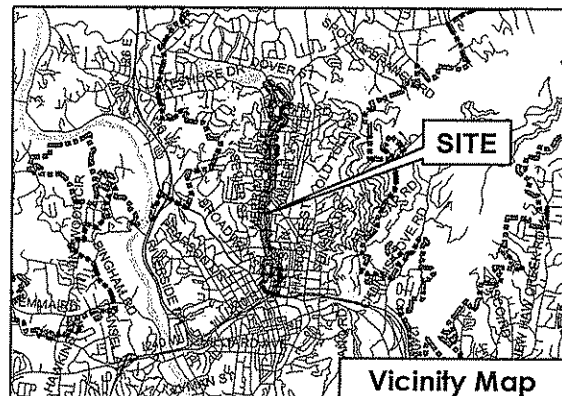


Exhibit 'C'

Merrimon Avenue Zoning Study Property Addresses and PINs

Property street addresses are identified as: 12, 16, 21, 25 Broad Street; 4 Chatham Road; 109, 111, 116, 117, 127 E. Chestnut Street; 22 Claxton Place; 6 Colonial Place; 95, 103 Edgewood Road; 39 Elm Street; 171 Hillside Street; 11, 15, 17 Larchmont Road; 10, 16 ½, 16, 26 N. Liberty Street; 233, 235, 237, 239 S. Liberty Street; 44, 48, 50, 51, 54, 64, 65, 70, 73, 82, 85, 90, 99, 100, 107, 110, 120, 135, 136, 141, 143, 165, 167, 168, 173, 176, 180, 181, 187, 190, 191, 203, 205, 206, 207, 210, 211, 212, 213, 214, 215, 217, 219, 227, 229, 230, 231, 233, 234, 235, 260, 262, 274, 278, 280, 290, 300, 301, 304, 308, 319, 321, 329, 333, 338, 339, 342, 343, 344, 346, 347, 348, 351, 354, 355, 360, 365, 366, 371, 377, 380, 383, 384, 388, 389, 390, 393, 394, 400, 411, 412, 430, 492, 498, 498, 500, 501, 502, 504, 508, 515, 523, 530, 535, 545, 549, 555, 565, 569, 573, 585, 612, 615, 625, 635, 640, 641, 660, 663, 667, 671, 674, 675, 701, 707, 711, 712, 714, 738, 740, 754, 755, 760, 778, 788, 791, 793, 800, 807, 812, 815, 820, 825, 840, 841, 842, 844, 846, 848, 850, 852, 853, 854, 856, 858, 862, 864, 868, 870, 873, 890, 892, 914, 915, 918, 944, 946, 948, 950, 952, 954, 956, 959, 960, 961, 962, 966, 1000, 1010, 1030 Merrimon Avenue; 18 Orange Street; and 14 Sandon Drive.

Properties are identified in Buncombe County Tax records as PINs:

974014346027	964914432654	974018309004	974018410890	964910372240	964906375866
974014337951	964914433646	974018306093	974018414825	964910363989	964906375862
964910357676	964914430683	964906396955	974018412860	964910366911	964906371564
964910355583	964914433514	964906399915	974018319626	964910363879	964906376547
964910356404	964914432415	964906399811	974018412638	964910363787	964910376455
964910356308	964914430462	964906396751	974018318548	964910365795	974018424153
964910355363	964914337164	964906397739	974018412600	964910363771	974018426029
964910356243	964914338213	964906399791	974018411585	964910365687	974018422026
964910356143	964914338268	964906490642	974018319563	964910363654	974018415918
964914346975	964914430261	964906491622	974018411560	964910366610	974018410964
964910356086	964914430266	964906396470	974018318481	964910363547	974018400158
964914346765	964914431216	964906399445	974018318352	964910366511	964906375997
964914346795	964914431265	964906399340	974018318202	964910363449	974018308196
964914347779	964914432174	964906399151	974018410015	964910366463	974018306098
964914349744	964914434240	974014431749	974018316076	964910363338	974018308190
964914349776	964914326852	974014338729	974018317075	964910366326	964914430884
964914440734	964914430067	974014432646	974018306925	964910363248	964914431883
964914347793	964914420848	974014339617	974018307934	964910366239	964914432843
964914347687	964914421719	974014433586	964906389961	964910367310	964914430689
964914440612	964914329777	974014430374	964906389855	964910366241	964914431685
964914347690	964914420508	974014434453	964906389748	964910363179	964914431964
964914440571	964918329403	974014432490	964906389741	964910366145	974018308293
964914348459	964918421327	974014435321	964906389630	964910364111	974018422280
964914348472	974018306858	974014435190	964906387419	964910366150	964906375970
964914440386	974018307857	974014433023	964906389523	964910364026	964910355621
964914442400	974018306709	974014420753	964906389326	964910366054	964914441061
964914348296	974018307821	974014422925	964906388242	964910363081	974018309320
964914441243	974018307703	974014423847	964906387190	964910356986	964906375984
964914441157	974018308567	974014423645	964906386018	964910354977	964910357736
964914337722	974018400551	974018422489	964906374980	964910354942	964914348045
964914349122	974018308469	974018329378	964906386000	964910356889	974018400375
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964910355709					